GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Smt. Y. Srilakshmi, IAS (AP:1988) – Investigation of case RC 17(A)/2009-CBI/Hy (Obulapuram) case – Detained in Police custody – Placed under suspension – C.C. No. 1 of 2012 set aside by the Hon'ble High Court of Andhra Pradesh – Regularisation of the period of suspension as "duty" with all consequential benefits – Orders – Issued.

GENERAL ADMINISTRATION (SC.D) DEPARTMENT
***

G.O. Rt. No. 2580 dated 30-11-2022

Read the following:-

1) G.O. Ms. No. 63, General Administration (SC.D) Department, dated 30.11.2011.
2) G.O. Ms. No. 34, General Administration (SC.D) Department, dated 13.06.2012.
3) Government of India, Department of Personnel & Training, Order No. 107/3/2012-AVD.I, dated 28.02.2013.
4) G.O. Ms. No. 785, General Administration (SC.A) Department, dated 12.03.2015.
5) G.O. Ms. No. 372, General Administration (Spl.C) Department, dated 06.10.2016 of the Government of Telangana.
6) Orders of Hon'ble Central Administrative Tribunal Hyderabad Bench, in OA/021/00230/2020, dated 09.11.2020.
7) G.O. Ms. No. 166, General Administration (Spl.A) Department, dated 09.12.2020 of the Government of Telangana.
8) G.O. Ms. No. 125, General Administration (SC.A) Department, dated 12.12.2020.
9) Orders of the Hon'ble High Court for the State of Telangana, in Criminal Revision Case No. 693 of 2022, dated 08.11.2022.
10) From Smt. Y. Srilakshmi, IAS (1988), Special Chief Secretary to Government, Municipal Administration & Urban Development Department, representation, dated nil, received on 15.11.2022.

***

ORDER:

While working as Commissioner, Health & Family Welfare, A.P., Smt. Y. Srilakshmi, IAS (AP:1988) was arrested and detained in Police custody on the evening of 28.11.2011 for a period exceeding forty-eight hours in Case No. 17(A)/2009-CBI/HY (Obulapuram case) on the allegations that while working as Secretary to Government, Industries & Commerce Department from 17.05.2006 to 10.10.2009, the MOS entered into criminal conspiracy with other accused and in furtherance of the conspiracy, abused her official position as Public Servant and granted two Mining Leases by issuing two Government Orders vide G.O. Ms. Nos. 151 and 152, Industries & Commerce (M.III) Department, dated 18.06.2007 facilitating the accused to cheat the Government by resorting to abuse of official powers in sanctioning the iron ore mining leases to M/s. OMCPL violating all the Rules and procedures prescribed in the Mines & Minerals (Development &

Regulation) Act, 1957 and Mineral Concession Rules, 1960. It is alleged that the MOS wantonly did not mention in the said G.O. that Iron Ore excavated will be utilised for "captive purpose". Taking advantage of the absence of captive mining clause in the said G.O., M/s. OMCPL has started excavating Iron Ore from the said area, exported the same and made huge gains.

Therefore, in G.O. first read above, Government issued orders placing the Member of Service under suspension from service, in exercise of the powers conferred under rule 3(2) of the All India Services (Discipline & Appeal) Rules, 1969, w.e.f. 28.11.2011. Based on the recommendation of the CBI, Government, in exercise of the powers conferred by Section 197(1) of the Code of Criminal Procedure, 1973 (Act 2 of 1974), accorded sanction for prosecution of Smt. Y. Srilakshmi, IAS (under suspension), formerly Secretary to Government, Industries & Commerce Department for the offences punishable under section 120-B r/w section 409 of the IPC alleged to have been committed by her while acting or purporting to act in the discharge of her official duties in connection with the affairs of the Government of A.P., in as much as she entered into a criminal conspiracy with Sri B.V. Srinivasa Reddy (A-1), Sri Gali Janardhan Reddy (A-2), Sri V.G. Rajgopal (A-3) and others to cheat the Government of Andhra Pradesh by sanctioning the Iron Ore Mining leases to M/s. OMCPL by violating all the rules and procedures prescribed in the Mines & Minerals (Development & Regulation) Act, 1957, and taking cognizance of the said offences by the Court of competent jurisdiction, vide G.O. second read above.

The CBI has submitted final report recommending to accord sanction for prosecution of the MOS for the offence of criminal misconduct defined under section 13(1)(d) and punishable under section 13 (2) of the Prevention of Corruption Act, 1988. Therefore, in the Order third read above, the Central Government, Department of Personnel & Training, in exercise of the powers conferred u/s 19(1) of the Prevention of Corruption Act, 1988, accorded sanction for the prosecution of Smt. Y. Srilakshmi, IAS (AP:1988) for the said offences and for any other offences punishable under other provisions of the law in respect of acts and for taking cognizance of the said offences by the Court of competent jurisdiction. The CBI has filed Chargesheet in C.C. No. 1 of 2012 in the Court of Principal Special Judge for CBI Cases, Hyderabad. The MoS was Accused 6.

In the A.P. Reorganisation, Smt. Y. Srilakshmi, IAS (RR:1988) was allocated to the IAS Cadre of Telangana State. Therefore, in G.O. fourth read above, Government of Andhra Pradesh relieved Smt. Y. Srilakshmi, IAS (1988) (under suspension) from the IAS of A.P. cadre with a direction to report before the Government of Telangana. In the fifth read above, the Government of Telangana issued orders revoking the deemed suspension and reinstating the Member of Service into service without prejudice to the criminal cases / disciplinary cases pending against her. Accordingly, the Member of Service has joined on 07.10.2016.

In pursuance of the orders of the Hon'ble Central Administrative Tribunal Hyderabad Bench, in OA /021/00230/2020, dated 09.11.2020, the Government of Telangana issued orders vide G.O. Ms. No. 166, G.A. (Spl.A) Dept., dated 09.12.2020, relieving Smt. Y. Srilakshmi, IAS (1988) from the State of Telangana

with immediate effect. Upon reporting to duty, Smt. Y. Srilakshmi, IAS (1988) was admitted to duty in the Government of Andhra Pradesh with effect from 10.10.2020 Fore Noon, subject to confirmation by the GOI, DoPT.

Smt. Y. Srilakshmi, IAS (AP:1988), Special Chief Secretary to Government, Municipal Administration & Urban Development Department has filed Criminal Review Case No. 693 of 2022 in the Hon'ble High Court for the State of Telangana at Hyderabad praying to grant stay of all proceedings in C.C. No. 1 of 2012 on the file of the Principal Special Judge for CBI Cases, Hyderabad.

In the order, dated 08.11.2022 in Criminal Revision Case No. 693 of 2022, the Hon'ble High Court for the State of Telangana allowed the said Criminal Revision Case and set aside the order rendered by the Court of Principal Special Judge for CBI cases, Hyderabad in Crl.M.P. No. 47 of 2021 in C.C. No. 1 of 2012, dated 17.10.2022 and discharged the petitioner from the offences punishable under Section 120-B r/w 409 IPC and Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988, as there are no grounds for framing the charges. However, the trial Court to verify whether any other provisions of law attracts. In case charge(s) can be framed for any other offence(s), charge(s) to that effect may be framed and the trial proceedings may go on. Baring that, the order becomes final.

In the reference 10th read above, Smt. Y. Srilakshmi, IAS (AP:1988), Special Chief Secretary to Government, Municipal Administration & Urban Development Department has stated that the criminal proceedings initiated against her are concluded in her favour. The Member of Service has requested to drop further action in the matter and to regularize the period of suspension from 28.11.2011 to 07.10.2016 as "on duty" with all consequential benefits.

Government have decided to regularize the period of suspension of Smt. Y. Srilakshmi, IAS (1988), Special Chief Secretary to Government, Municipal Administration & Urban Development Department from 28.11.2011 to 07.10.2016, as "duty" with all consequential benefits, in terms of Rule 5B of the All India Services (Discipline & Appeal) Rules, 1969. Accordingly, Government hereby order that the period of suspension from 28.11.2011 to 07.10.2016 in respect of Smt. Y. Srilakshmi, IAS (1988), Special Chief Secretary to Government, Municipal Administration & Urban Development Department shall be regularized as period spent on duty with all consequential benefits.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. SAMEER SHARMA
CHIEF SECRETARY TO GOVERNMENT

To
Smt. Y. Srilakshmi, IAS (1988), Special Chief Secretary to Government,
Municipal Administration & Urban Development Department.
The Municipal Administration & Urban Development Department.
The Pay & Accounts Officer, A.P. Vijayawada.

Copy to:
The Accountant General (A&E), A.P., Vijayawada.
The Secretary to Government of India, Department of Personnel & Training,
North Block, New Delhi.
SF

//forwarded: by order//

ASST. SECRETARY TO GOVT. (PERS.)